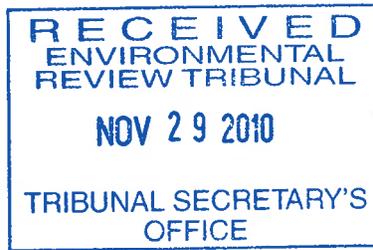


10-121



Suite 600
10 King Street East
Toronto, Ontario
M5C 1C3

ERIC K. GILLESPIE, LL.B.
Telephone No.: (416) 703-5400
Direct Line: (416) 703-6362
Facsimile No.: (416) 703-9111
Email: egillespie@gillespielaw.ca

FACSIMILE TRANSMISSION

TO	FIRM	FACSIMILE NO.
Environmental Commissioner of Ontario	Environmental Commissioner of Ontario	(416) 325-3370 Time: 3:10 pm
Mansoor Mahmood	Environmental Assessment and Approvals Branch	(416) 314-8452 Time: 3:11 pm
Kent Breeze Corp. and MacLeod Windmill Project Inc.	c/o Suncor Energy Services Inc.	(905) 804-4848 Time: 3:12 p.m.

From: ERIC K. GILLESPIE
Firm: ERIC K. GILLESPIE PROFESSIONAL CORPORATION
Date: November 29, 2010
Re: Notice of Appeal for Renewable Energy Approval issued to Kent Breeze Corp. and MacLeod Windmill Project Inc. (Kent Breeze Wind Farms) c/o Suncor Energy Services Inc., EBR Registry Number 011-1039 of the Appellant Katie Brenda Erickson
Our File No.: 00585

PAGES (including cover sheet): 10 Pages
If you do not receive all pages, please phone Anna Maciel at (416) 703-5400.

MESSAGE: Notice of Appeal for Renewable Energy Approval issued to Kent Breeze Corp. and MacLeod Windmill Project Inc. (Kent Breeze Wind Farms) c/o Suncor Energy Services Inc., EBR Registry Number 011-1039 of the Appellant Katie Brenda Erickson

ERIC K. GILLESPIE PROFESSIONAL CORPORATION
Barristers & Solicitors

Suite 600
10 King Street East
Toronto, Ontario
M5C 1C3

ERIC K. GILLESPIE, LLB
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November 29, 2010

Delivered by Hand

Appellate Body:

Secretary, Environmental Review Tribunal
655 Bay Street, Floor 15
Toronto, ON
M5G 1E5
Phone: (416) 314-4600
Fax: (416) 314-4506
Email: ERTTribunalSecretary@ontario.ca

Sent via facsimile

Environmental Commissioner of Ontario:

Environmental Commissioner of Ontario
1075 Bay Street, Suite 605
Toronto, ON
M5S 2B1
Phone: (416) 325-3377
Fax: (416) 325-3370
E-mail: commissioner@eco.on.ca

Issuing Authority:

Mansoor Mahmood
Director
Environmental Assessment and Approvals Branch
2 St. Clair Avenue West
Floor 12A
Toronto, ON
M4V 1L5
Phone: (416) 314-1051
Fax: (416) 314-8452
Email: mansoor.mahmood@ontario.ca

Proponent:

Kent Breeze Corp. and MacLeod Windmill Project Inc.
c/o Suncor Energy Services Inc.
2489 North Sheridan Way
Mississauga, ON
L5K 1A8
Phone: (905) 804-4508
Fax: (905) 804-4848

To Whom it May Concern:

Re: Notice of Appeal for Renewable Energy Approval issued to Kent Breeze Corp. and MacLeod Windmill Project Inc. (Kent Breeze Wind Farms) c/o Suncor Energy Services Inc., EBR Registry Number 011-1039

Name and address of Appellant:

Katie Brenda Erickson
12923 Longwoods Road
RR#6
Thamesville, ON
N0P 2K0

Name and address of Appellant's representative:

Eric K. Gillespie
Eric K. Gillespie Professional Corporation
10 King Street East, Suite 600
Toronto, ON
M5C 1C3
Tel.: (416) 703-6362
Fax: (416) 703-9111
Email: egillespie@gillespielaw.ca

Address for delivery of notices and other official documents to Appellant:

Eric K. Gillespie
Eric K. Gillespie Professional Corporation
10 King Street East, Suite 600
Toronto, ON
M5C 1C3
Tel.: (416) 703-6362
Fax: (416) 703-9111
Email: egillespie@gillespielaw.ca

Contact information for Appellant during business hours:

Eric K. Gillespie
Tel.: (416) 703-6362
Fax: (416) 703-9111
Email: egillespie@gillespielaw.ca

Statement of appeal of Director's decision in relation to a renewable energy project:

The appellant is appealing the decision of the Director to issue a Renewable Energy Approval to Kent Breeze Corp. and MacLeod Windmill Project Inc. to engage in a renewable energy project in respect of a Class 4 Wind facility consisting of the construction, installation, operation, use and retiring of the following: eight (8) wind turbine generators, each rated at 2.5 MW generating output capacity, with a total name plate capacity of 20 MW.

Copy of decision under appeal:

A copy of the instrument decision notice under appeal is attached (loaded to the Environmental Registry on November 12, 2010, EBR Registry Number: 011-1039).

Identification of the portions of the Renewable Energy Approval that the Appellant is appealing:

The portions of the Renewable Energy Approval that the Appellant is appealing are:

“The Renewable Energy Approval requires the proponent to construct, install, operate, use and retire the facility in accordance with specific terms and conditions. The terms and conditions, as summarized below, require the proponent to:

- *construct and install the Facility in accordance with the documentation considered for the issuance of this approval, and the setback requirements of Regulation 359/09,*
- *comply with the Ministry's noise emission limits for Wind Farms at all times,*
- *maintain and operate the wind turbine generators in accordance with good engineering practices and as recommended by the equipment suppliers”*

Description of how engaging in the renewable energy project in accordance with the Renewable Energy Approval will cause serious harm to human health:

Industrial wind turbines are known to cause a range of serious health effects in certain individuals. These effects occur at distances greater than the set-backs prescribed for the renewable energy project in accordance with the Renewable Energy Approval.

Statement of the issues and material facts relevant to the subject matter of the appeal that the Appellant intends to present at the main Hearing:

Issue(s)

1. Is it more likely than not that the Kent Breeze Corp. and MacLeod Windmill Project Inc. as approved will cause serious harm to human health?
2. Should the set-back requirements for participating landowners and/or others at these locations be the same as for all other persons?
3. Should the approval be granted where the approval authority is unable to properly predict, measure or assess the sources that produce effects known to cause serious harm to human health?
4. Should the approval be granted prior to the approval authority determining the effects on human health and whether or how to regulate low frequency noise emissions from industrial wind turbines?
5. Does the approval comply with the approval authority's Statement of Environmental Values ("SEV")?

Materials Facts

A significant body of expert opinion, scientific information and literature supports the Appellant's contention that industrial wind turbines located at the distances approved for this project are more likely than not to cause serious harm to human health.

Examples of these effects include sleep disturbance, annoyance, stress or psychological distress, inner ear symptoms, headaches, excessive tiredness, loss of quality of life, stress and physiological distress. Stress and sleep deprivation are well known risk factors for increased morbidity including significant chronic disease such as cardiovascular problems including hypertension and ischemic heart disease. These effects are more likely than not caused by exposure to infrasound and/or low frequency noise and/or audible noise and/or visual impact and/or shadow flicker produced by industrial wind turbines. The tonality, pulsating nature of the noise and the lack of nighttime abatement are further factors. Other effects include exposure to ice throw/fall and turbine failure. These effects are caused by the operation and/or failure of industrial wind turbines or their individual components.

The effects of the project on human health will be serious. The effects on the health of participating landowners and/or other persons at these locations will be even more serious as they are exempted from all setback requirements without scientific or other justification.

In addition, current projects are known to exceed existing requirements. The approval authority also has no reliable method of predicting, measuring or assessing exposure to infrasound and/or low frequency noise and/or audible noise in order to protect persons from these effects.

As well, the approval has been granted prior to the approval authority making any determination regarding the effects on human health and whether or how to regulate low frequency noise emissions from industrial wind turbines. Furthermore, a Research Chair has been selected but to date has released no findings.

The Tribunal's decision must also be consistent with any policies issued by the Minister of the Environment designed to guide decisions of this kind that were in place at the time the Director's decision was made. The Ministry's SEV is such a policy. The project might significantly affect the environment. The approval was not exempted. As a result, it was the Minister's responsibility through the Ministry and its Director to take every reasonable step to ensure that the SEV was considered.

In this case, the Ministry did not consider the cumulative effects on the environment; the interdependence of air, land, water and living organisms; and the relationships among the environment, the economy and society. More specifically, the economic impacts of the project on property values were not considered.

The Ministry did not use a precautionary, science-based approach in its decision-making to protect human health and the environment. More specifically, despite the risk of harm to humans from industrial wind turbines the approval was granted without resolution to the scientific uncertainty surrounding these effects.

The Ministry did not encourage increased transparency, timely reporting and enhanced ongoing engagement with the public as part of environmental decision making. More specifically, there are no provisions requiring transparency, timely report or enhanced ongoing engagement with the public regarding testing and data collection for infrasound and/or low frequency noise and/or audible noise.

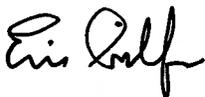
Description of relief requested:

The Appellant requests that the Environmental Review Tribunal revoke the decision of the Director to issue a Renewable Energy Approval for the Kent Breeze Corp. and MacLeod Windmill Project Inc.(Kent Breeze Wind Farms) c/o Suncor Energy Services Inc.

Indication of Appellant's intention to seek a stay of the decision:

The Appellant will be seeking a stay of the decision.

**ERIC K. GILLESPIE
PROFESSIONAL CORPORATION**



Eric K. Gillespie
EKG/am
Encl.



Environmental Registry
 Régistre environnemental



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Instrument Decision Notice:

Proponent: Kent Breeze Corp. and MacLeod Windmill Project Inc.(Kent Breeze Wind Farms)
 c/o Suncor Energy Services Inc.
 2489 North Sheridan Way
 Mississauga Ontario
 Canada L5K1A8
Instrument Type: Approval for a renewable energy project - EPA s.47.3(1)

EBR Registry

Number:
 011-1039
Ministry Reference
Number:
 4987-86ANP6
Ministry:
 Ministry of the Environment
Date Proposal loaded to the Registry:
 August 26, 2010
Date Decision loaded to the Registry:
 November 12, 2010

THE LEAVE TO APPEAL PROVISIONS INDICATED IN THE SECTION TITLED "LEAVE TO APPEAL PROVISIONS" AT THE END OF THIS POSTING DO NOT APPLY TO RENEWABLE ENERGY APPROVALS ISSUED UNDER SECTION 47.5 OF THE EPA.

PLEASE REFER TO NOTE: REGARDING THIRD PARTY HEARING PROVISIONS IN THE SECTION TITLED "DECISION ON INSTRUMENT" INSTEAD.

Keyword(s): Air | Electricity

Decision on Instrument:

Contact:

A Renewable Energy Approval has been issued to Kent Breeze Corp. and MacLeod Windmill Project Inc. to engage in a renewable energy project in respect of a Class 4 Wind facility consisting of the construction, installation, operation, use and retiring of the following: eight (8) wind turbine generators, each rated at 2.5 MW generating output capacity, with a total name plate capacity of 20 MW.

Kristina Rudzki
 Senior Project Evaluator
 Ministry of the Environment
 Operations Division
 Environmental Assessment and Approvals Branch
 2 St. Clair Avenue West
 Floor 12A
 Toronto Ontario M4V 1L5
 Phone: (416) 314-6802

This Class 4 Wind facility, known as Kent Breeze Wind Farms, is located Part Lots 8-11, Concession 1 and Part Lots 4-6, Concession 1 & 2, in the Township of Camden, Municipality of Chatham-Kent, Ontario. The noise sources to be approved at the project location consist of eight (8) wind turbine generators. Emissions discharged to the atmosphere include noise.

The Renewable Energy Approval requires the proponent to construct, install, operate, use and retire the facility in accordance with specific terms and conditions. The terms and conditions, as summarised below, require the proponent to:

- properly decommission the facility upon retirement of the facility
- construct and install the Facility within 2 years of the date of the approval,
- construct and install the Facility in accordance with the documentation considered for the issuance of this approval, and the setback requirements of Regulation 359/09,
- comply with the Ministry's noise emission limits for Wind Farms at all times,
- manage stormwater and control sediment and erosion during and post construction,
- implement the Environmental Effects Monitoring Plan for Birds and Bats.
- prepare a Traffic Management Plan to be provided to the municipality and enter into a Road Users Agreement, as applicable.
- properly address any archaeological resources discovered,
- maintain and operate the wind turbine generators in accordance with good engineering practices and as recommended by the equipment suppliers,
- maintain records of the operation and maintenance of the wind turbine generators and inspections and complaints related to the facility,
- notify the ministry of complaints received alleging adverse effect caused by the construction, installation, operation, use or retirement of the facility, and
- notify the ministry prior to a change of ownership.

Location(s) Related to this Instrument:

Chatham-Kent

This renewable energy project has been approved in accordance with the requirements of Part V.0.1 of the Environmental Protection Act and Ontario Regulation 359/09.

Concession:1 1 & 2

**Please note that the proponent's full name is Kent Breeze Corp. and MacLeod Windmill Project Inc., c/o Suncor Energy Services Inc. This change had no impact on the issuance of the Renewable Energy Approval.*

MUNICIPALITY OF CHATHAM-KENT

NOTE: REGARDING THIRD PARTY HEARING PROVISIONS

Additional Information:

Third Party Hearing Provisions are listed immediately below. The Leave to Appeal Provisions indicated in the section titled "Leave to Appeal Provisions" at the end of the posting do not apply to Renewable Energy Approvals issued under Section 47.5 of the EPA.

The following government offices have additional information regarding this Decision. To arrange a viewing of these documents please call the Ministry

Any resident of Ontario may require a hearing by the Environmental Review Tribunal (ERT) within 15 days after the date this Decision was loaded to the Environmental Registry (see top right of decision notice) by written notice served upon the following:

Environmental Commissioner of Ontario:

Environmental Commissioner of Ontario
 1075 Bay Street
 Suite 605

Toronto Ontario
M5S 2B1
Phone: (800) 701-6454

Contact or the
Office listed
below.

Issuing Authority:

Mansoor Mahmood
The Director
Section 47.5, Environmental Protection Act
2 St. Clair Avenue West
Floor 12A
Toronto Ontario
M4V 1L5
Phone: 416-314-1051

Environmental
Assessment
and Approvals
Branch
2 St. Clair
Avenue West
Floor 12A
Toronto Ontario
M4V 1L5
Phone: (416)
314-8001

Proponent:

Kent Breeze Corp. and MacLeod Windmill Project Inc.
c/o Suncor Energy Services Inc.
2489 North Sheridan Way
Mississauga ON L5K 1A8

Windsor Area
Office
4510 Rhodes
Drive
Unit 620
Windsor Ontario
N8W 5K5
Phone: (519)
948-1464

Appellate Body:

Secretary
Environmental Review Tribunal
655 Bay Street
Floor 15
Toronto
M5G 1E5
Phone: (416) 314-4600
Fax: (416) 314-4506

An applicant for a hearing shall state in the notice requiring the hearing, (a) a description of how engaging in the renewable energy project in accordance with the renewable energy approval will cause, (i) serious harm to human health, or (ii) serious and irreversible harm to plant life, animal life or the natural environment; (b) the portion of the renewable energy approval in respect of which the hearing is required; and (c) the relief sought.

Further information is provided on the ERT's website at: <http://www.ert.gov.on.ca/english/guides/index.htm>

If you have any questions about the hearing process please consult a lawyer or contact the ERT.

Comment(s) Received on the Proposal: 5

Public Consultation on the proposal for this decision was provided for 30 Days, from August 26, 2010 to September 25, 2010.

As a result of public consultation on the proposal, the Ministry received a total of 5 comments: 0 comments were received in writing and 5 were received online.

Additionally, a copy of all comments are available for public viewing by contacting the Contact person listed in this notice.

A selection of these comments are available:

[View All Comments](#)

Effect(s) of Consultation on this Decision:

All comments received were reviewed by the ministry and considered during the review of the application. A number of comments were received that do not specifically apply to the review of the application made under section 47.4 of the Environmental Protection Act (EPA) and in accordance with Ontario Regulation 359/09 – Renewable Energy Approvals. These comments have been summarized below.

- * The public will have to pay a large debt if these turbines are continuously erected.
- * These projects require a huge infrastructure of power lines, roads, cleared forests and cement bases and as such, are not green.
- * These project have negative health impacts and property devaluation .
- * The application does not provide information on night lighting, or how many turbines will have lights, what their impacts are and the applicant has not proposed mitigation measures with respect to this.

Response:

The application submitted by Kent Breeze under Section 47.4 of the Environmental Protection Act (EPA) has shown that the Facility can operate in accordance with requirements of Regulation 359/09 "Renewable Energy Projects" (Regulation 359/09). Renewable Energy Approval Number 7988-8AVKM5 was issued to Kent Breeze Corp. and MacLeod Windmill Project Inc. for this Class 4 Wind Facility.

The initiatives under the Green Energy and Green Economy Act will boost investment in renewable energy projects, creating green jobs, and stimulating the economic growth of our province.

Ontario Regulation 359/09 – Renewable Energy Projects establishes clear rules to protect significant natural features including significant woodlands and valley lands, significant habitat necessary to sustain wildlife, provincially significant wetlands, provincially significant areas of natural and scientific interests (ANSIs), and provincial parks and conservation reserves, as well as sensitive water bodies so that renewable energy project applicants know they must protect these important features and the hydrologic functions they support.

As part of the REA for wind turbine projects greater than 50kW, a natural heritage assessment, including study of the potential impacts on natural features, must be completed to the satisfaction of the Ministry of Natural Resources (MNR). The process integrates existing study requirements with provincial standards to ensure the natural environment is protected. In addition, Ontario Regulation 359/09 – Renewable Energy Projects requires applicants of Class 4 wind facilities to provide various plans and reports, information on consultation activities that were undertaken, information on heritage and protected areas, technical reports, and information on setback distances and mitigation.

The Chief Medical Officer of Health agreed to undertake a review of existing information and to consult with the Ontario Agency for Health Protection and Promotion and local medical officers of health on health effects related to wind turbines. The results of the review and consultation were published on May 20, 2010 and released in a report titled "The Potential Health Impacts of Wind Turbines". The review concluded that scientific evidence available to date does not demonstrate a direct causal link between wind turbine noise and adverse health effects. The sound level from wind turbines at common residential setbacks is not sufficient to cause hearing impairment or other direct health effects, and there is no scientific evidence to date that vibration from low frequency wind turbine noise causes adverse health effects.

Transport Canada is the federal agency responsible for regulating how many lights will be needed, at what intensity they will need to be at and the duration that

the light will need to be on.

Kent Breeze is required to meet the requirements of Ontario Regulation 359/09 – Renewable Energy Projects at all times, in order to ensure that negative effects are adequately mitigated.

Comments were also received with respect to setback distances outlined in Ontario Regulation 359/09 – Renewable Energy Projects, specifically:

- Several hundred homes will be within two kilometres of the nearest turbine and there is only one participating receptor.
- At least two turbines are located within approximately 150 metres of a railway and four turbines are within 200 metres of a railway.
- The technical bulletins change the intent of Ontario Regulation 359/09 – Renewable Energy Projects as participating receptors should not be permitted within 550 m of a turbine
- There is only one participating landowner who has a turbine located approximately 332 metres away and one approximately 350 metres away. This is illegal.
- There is confusion regarding what is permitted for a parcel boundary setback distance and permitting a lower parcel setback distance

Response: The setback requirements proposed for wind turbine projects were developed by ministry engineers and scientists and were based on the MOE publication "Noise Guidelines for Wind Farms (October 2008)". They were also informed by technical workshops and feedback at the Standing Committee on General Government hearings in April 2009. The noise requirements outlined in the "Noise Guidelines for Wind Farms (October 2008)" were developed in consultation with external experts and were peer-reviewed. Kent Breeze is required to meet the requirements of Ontario Regulation 359/09 – Renewable Energy Projects at all times, in order to ensure that negative effects are adequately mitigated.

All wind projects are reviewed to determine whether they meet the requirements of the regulation, including all applicable setback distances. The technical bulletins were created based on the requirements of the regulation. Turbines must maintain a setback distance of 550m from non-participating receptors. This setback distance does not apply to participating receptors. The setback distance for parcel boundaries is hub height, in this case, 85 m. The applicant has the option of using a lower parcel boundary (blade length plus 10 m) if they prepare property line setback assessment report. In addition, road rights of way and railway rights of way setback distances are blade length plus 10 m, in this case, 60 m. The Kent Breeze project was reviewed and determined to meet applicable setback distance requirements as outlined in Ontario Regulation 359/09.

In addition, a condition has been imposed requiring the applicant to submit a written report to the Director prior to construction of the turbines to verify that all locations of the turbines comply with Ontario Regulation 359/09.

Comments related specifically to components of this project have been considered and are summarized below:

Comment: A mitigation measure has been proposed and accepted by the proponent to minimize impact to migratory birds. The proponent should also be required to accept and implement this same mitigation measure during operation.

Response: Although in the applicant's construction plan report, a commitment was made to "restrict the operation of the turbines during periods of heavy fog." The applicant has also prepared a detailed environmental effects and monitoring plan for birds and bats which focuses on post-construction bird and bat monitoring and mitigation. MNR has reviewed this plan and had confirmed that it is satisfied with the recommendations outlined in the report.

Comment: The proponent should be required to prepare a traffic management plan to determine the impact on local roads.

Response: As a condition of approval, the MOE is requiring the applicant to prepare a traffic management plan and a road user's agreement in conjunction with the municipality.

NOTE: THIS IS THE END OF THE DECISION NOTICE. THE LEAVE TO APPEAL PROVISIONS BELOW DO NOT APPLY TO RENEWABLE ENERGY APPROVALS ISSUED UNDER SECTION 47.5 OF THE EPA.

PLEASE REFER TO NOTE: REGARDING THIRD PARTY HEARING PROVISIONS IN THE SECTION TITLED "DECISION ON INSTRUMENT" INSTEAD.

THE MINISTRY IS CURRENTLY WORKING TO AMEND THE TEMPLATE FOR DECISION NOTICES TO REFLECT THE THIRD PARTY HEARING PROCESS FOR RENEWABLE ENERGY PROJECTS. THIS WILL INCLUDE, BUT NOT BE LIMITED TO, THE DELETION OF THE "LEAVE TO APPEAL PROVISIONS" TEXT BELOW.

Leave to Appeal Provisions:

Any resident of Ontario may seek leave to appeal this decision, by serving written Notice, within 15 days of November 12, 2010 upon the following:

Environmental Commissioner of Ontario:

Environmental Commissioner of Ontario
 1075 Bay Street
 Suite 605
 Toronto Ontario
 M5S 2B1
 Phone: (800) 701-6454

Issuing Authority:

Mansoor Mahmood
Director
Environmental Assessment and Approvals Branch
2 St. Clair Avenue West
Floor 12A
Toronto Ontario
M4V 1L5
Phone: (416) 314-8178
Fax: (416) 314-8452

Proponent:

Kent Breeze Corp. and MacLeod Windmill Project Inc.(Kent Breeze Wind Farms)
c/o Suncor Energy Services Inc.
2489 North Sheridan Way
Mississauga Ontario
Canada L5K1A8

Appellate Body:

Secretary
Environmental Review Tribunal
655 Bay Street
Floor 15
Toronto
M5G 1E5
Phone: (416) 314-4600
Fax: (416) 314-4506

The Notice must be signed and dated and include all of the following information:

1. The EBR Registry Number, the Ministry Reference Number, the Proponent's name and address to whom the instrument was issued and the location of Activity. (All available from this Registry posting)
2. A copy of any comments that were submitted on the original proposal, if comments were not submitted, an explanation of your interest in seeking leave to appeal the decision is required.
3. A description of the grounds for the application for leave to appeal including information that demonstrates that:
 - (a) there is a good reason to believe that no reasonable person, having regard to the relevant law and any government policies developed to guide decisions of that kind, could have made the decision; and
 - (b) the decision in respect of which an appeal is sought could result in significant harm to the environment.
4. The portion of the instrument or each term or condition in the instrument in respect of which the leave to appeal is applied for.
5. The grounds on which you intend to reply at the hearing, in the event that the leave to appeal is granted, in relation to each portion that you are seeking leave to appeal.

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- Environmental Review Tribunal
- Niagara Escarpment Hearing Office
- Office of Consolidated Hearings

Statement of Service

When directed or required under the Rules of Practice, this form may be used as proof of service.

Case Name and No.:	Notice of Appeal for Renewable Energy Approval issued to Kent Breeze Corp. and Maclead Windmill Project Inc. (Kent Breeze Wind Farms) c/o Suncor Energy Services Inc., EBR Registry Number 011-1039			
Service	Type of notice served <input type="checkbox"/> Notice of Motion <input type="checkbox"/> Notice of Preliminary Hearing <input type="checkbox"/> Notice of Hearing <input checked="" type="checkbox"/> Other specify ▼ Notice of Appeal and Instrument of the Appellant Chattam-Kent Wind Action Inc.	Method of delivery <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered Mail <input type="checkbox"/> Courier (including Priority Post) <input checked="" type="checkbox"/> Facsimile copier (FAX) <input type="checkbox"/> Personal delivery <input type="checkbox"/> Other specify ▼	Name of courier, agent or service	
	Date and Time document sent November 29, 2010 at 3:12 pm			
Address where served	Number and Street / R.R. # 2489 North Sheridan Way		Suite/Unit #	
	City Mississauga	Province ON	Postal Code L5K 1A8	
FAX # (if applicable) 905 804-4848				
Confirmation	Acting on behalf of <input checked="" type="checkbox"/> Appellant / Applicant / Proponent <input type="checkbox"/> Respondent <input type="checkbox"/> Other specify ▼			
	I state that I served Kent Breeze Corp & Mac Lead Windmill Project Inc.	who represents Kent Breeze Corp & Mac Lead Windmill Project Inc.		
	Signature of Server 	Position (if applicable) Legal Assistant		
	Dated at (Location) Toronto		on (Date) November 29, 2010	



Environment and Land Tribunals Ontario

- Environmental Review Tribunal
- Niagara Escarpment Hearing Office
- Office of Consolidated Hearings

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Case Name and No.:	Notice of Appeal for Renewable Energy Approval issued to Kent Breeze Corp. and Mackeod Windmill Project Inc. (Kent Breeze Wind Farms) c/o Suncor Energy Services Inc., EBR Registry Number 011-1039		
Service	Type of notice served <input type="checkbox"/> Notice of Motion <input type="checkbox"/> Notice of Preliminary Hearing <input type="checkbox"/> Notice of Hearing <input checked="" type="checkbox"/> Other specify ▼ Notice of Appeal and Instrument of the Appellant Chatham-Kent Wind Action Inc.	Method of delivery <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered Mail <input type="checkbox"/> Courier (including Priority Post) <input checked="" type="checkbox"/> Facsimile copier (FAX) <input type="checkbox"/> Personal delivery <input type="checkbox"/> Other specify ▼	Name of courier, agent or service
	Date and Time document sent November 29, 2010 at 3:10 pm		
Address where served	Number and Street / R.R. # 1075 Bay St, Suite 605		Suite/Unit # 605
	City Toronto	Province ON	Postal Code M5S 2B1
FAX # (if applicable) 416-325-3370			
Confirmation	Acting on behalf of <input checked="" type="checkbox"/> Appellant / Applicant / Proponent <input type="checkbox"/> Respondent <input type="checkbox"/> Other specify ▼		
	I state that I served The Environmental Commissioner of Ontario	who represents The Environmental Commissioner of Ontario	
Signature of Server 		Position (if applicable) Legal Assistant	
Dated at (Location) Toronto		on (Date) November 29, 2010	



Environment and Land Tribunals Ontario

- Environmental Review Tribunal
 Niagara Escarpment Hearing Office
 Office of Consolidated Hearings

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When directed or required under the Rules of Practice, this form may be used as proof of service.

Case Name and No.:	Notice of Appeal for Renewable Energy Approval issued to Kent Breeze Corp. and Mackeod Windmill Project Inc. (Kent Breeze Wind Farms) c/o Suncor Energy Services Inc., EBR Registry Number 011-1039		
Service	Type of notice served <input type="checkbox"/> Notice of Motion <input type="checkbox"/> Notice of Preliminary Hearing <input type="checkbox"/> Notice of Hearing <input checked="" type="checkbox"/> Other specify ▼ Notice of Appeal and Instrument of the Appellant Chattam-Kent Wind Action Inc.	Method of delivery <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered Mail <input type="checkbox"/> Courier (including Priority Post) <input checked="" type="checkbox"/> Facsimile copier (FAX) <input type="checkbox"/> Personal delivery <input type="checkbox"/> Other specify ▼	Name of courier, agent or service
Date and Time document sent November 29, 2010 at 3:11 pm			
Address where served	Number and Street / R.R. # 2 St. Clair Ave W, Floor 12A		Suite/Unit #
City Toronto		Province ON	Postal Code M4V 1L5 FAX # (if applicable) 416 314-8452
Confirmation	Acting on behalf of <input checked="" type="checkbox"/> Appellant / Applicant / Proponent <input type="checkbox"/> Respondent <input type="checkbox"/> Other specify ▼		
I state that I served Mansoor Mahmood, Director		who represents Environmental Assessment & Approvals Branch, MOE	
Signature of Server 		Position (if applicable) Legal Assistant	
Dated at (Location) Toronto		on (Date) November 29, 2010	